# No. 20

# **MICHIGAN SENATE**

# DAILY CALENDAR

WEDNESDAY, MARCH 6, 2002 10:00 a.m.

### MESSAGES FROM THE HOUSE

\_\_\_\_ 1 \_\_\_\_

### SB 451 Sen. Schuette

Insurance; health; timely payment of health care benefits; provide for and establish penalties for noncompliance.

Amends sec. 2006 of 1956 PA 218 (MCL 500.2006).

I.E. House, February 28, 2002.

Returned from House with substitute (H-1), Tuesday, March 5; laid over under the rules.

Committee recommended I.E.

2

# SB 452 Sen. Schuette

Insurance; health care corporations; timely payment of health care benefits; provide for and establish penalties for noncompliance.

Amends sec. 403 of 1980 PA 350 (MCL 550.1403).

I.E. House, February 28, 2002.

Returned from House with amendment, Tuesday, March 5; laid over under the rules.

For House amendment, see Senate Journal No. 19, page 479.

Committee recommended I.E.

\_\_\_\_\_ 3 \_\_\_\_\_

### **HB 5026** Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, October 31, 2001.

I.E. Senate, January 30, 2002.

Returned from House with substitute (H-4) to Senate substitute (S-1), Tuesday, March 5; laid over under the rules.

### **CONFERENCE REPORTS**

4

### SJR D Sen. McCotter

State; employees and officers; adoption of state officers compensation commission recommendation for next legislative session; require legislature approval.

Amends sec. 12, art. IV of the state constitution.

Conference report received in the Senate, Wednesday, October 24, 2001; laid over under the rules.

For text of conference report, see Senate Journal No. 74 of 2001, page 1873.

Adoption pending.

### THIRD READING OF BILLS

\_\_\_\_\_ 5 \_\_\_\_\_

### SB 503 Sen. Garcia

Financial institutions; other; regulation of deferred presentment service transaction; provide for.

Creates new act.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-7).

For Senate amendment, see Senate Journal No. 73 of 2001, page 1852.

Committee recommended I.E.

6

# **HB** 5411 Rep. Mortimer

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1225 of 1976 PA 451 (MCL 380.1225).

I.E. House, February 5, 2002.

# HB 5415 Rep. Kolb

Local government; bonds; bonding authority of the revised school code; modify.

Amends sec. 1356 of 1976 PA 451 (MCL 380.1356).

I.E. House, February 6, 2002.

House substitute (H-1).

\_\_\_\_ 8 \_\_\_\_

### **HB** 5421 Rep. Kuipers

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 126 of 1966 PA 331 (MCL 389.126).

I.E. House, February 7, 2002.

House substitute (H-1).

9

### HB 5422 Rep. Meyer

Local government; bonds; bonding authority of community colleges; modify.

Amends sec. 127 of 1966 PA 331 (MCL 389.127).

I.E. House, February 7, 2002.

— 10 ———

### SB 891 Sen. McCotter

Legislature; auditor general; reference to auditor general regarding brine pipeline companies; eliminate.

Amends secs. 22, 23 & 24 of 1881 PA 182 (MCL 483.222 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

### THIRD READING OF BILLS

### SB 893 Sen. McCotter

Legislature; auditor general; reference to auditor general in the revised judicature act of 1961; eliminate.

Amends secs. 2123, 2558, 6458 & 6461 of 1961 PA 236 (MCL 600.2123 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

\_\_\_ 12 -

### SB 917 Sen. McCotter

Legislature; auditor general; reference to duties of the auditor general regarding certain purchases of state land; eliminate.

Amends secs. 1, 2, 3 & 4 of 1907 PA 130 (MCL 211.451 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

— 13 —

### SB 1030 Sen. McCotter

Crimes; other; provisions relating to prize fighting; repeal.

Repeals secs. 442, 443, 444, 445, 446 & 447 of 1931 PA 328 (MCL 750.442 et seq.).

Reported by Committee on Government Operations. Committee recommended I.E.

### SB 1031 Sen. McCotter

Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of prize fighting and training for prize fighting; eliminate.

Amends sec. 16v, ch. XVII of 1927 PA 175 (MCL 777.16v).

Reported by Committee on Government Operations. Committee recommended I.E.

— 15 —

### SB 1036 Sen. McCotter

Vehicles; other; prohibition against displaying an emblem or insignia on motor vehicles; limit application to certain fraternal and nonprofit organizations.

Amends sec. 3 of 1929 PA 269 (MCL 430.53).

Reported by Committee on Government Operations. Committee recommended I.E.

16 —

# **HB** 5295 Rep. DeRossett

Criminal procedure; jurisdiction; jurisdiction for prosecution of criminal offense; clarify.

Amends 1927 PA 175 (MČL 760.1 - 777.69) by adding sec. 2 to ch. II.

I.E. House, December 12, 2001.

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

### HB 5349 Rep. Shulman

Civil rights; public records; critical infrastructure; exempt from freedom of information act.

Amends sec. 13 of 1976 PA 442 (MCL 15.243).

I.E. House, February 7, 2002.

House substitute (H-4).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

### THIRD READING OF BILLS

— 18 ———

### **HB** 5496 Rep. Newell

State; planning; Michigan emergency management act; revise powers and duties.

Amends secs. 3, 7, 7a, 8, 9, 10 & 11 of 1976 PA 390 (MCL 30.403 et seq.); adds sec. 21 & repeals sec. 15 of 1976 PA 390 (MCL 30.415).

I.E. House, February 7, 2002.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

<del>-----</del> 19 <del>------</del>

### **HB** 5506 Rep. Phillips

Crimes; other; crime of using, delivering, or possessing an imitation explosive; include possession as violation, and require restitution.

Amends sec. 204a of 1931 PA 328 (MCL 750.204a).

I.E. House, February 7, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_\_ 20 \_\_\_\_\_

# HB 5507 Rep. Woronchak

Crimes; other; penalties for knowingly placing a harmful substance in food or water supply; increase and provide for restitution.

Amends sec. 436 of 1931 PA 328 (MCL 750.436).

I.E. House, February 7, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

# **HB** 5509 Rep. Quarles

Crimes; money laundering; terrorism; include in definition of "specified criminal offense".

Amends sec. 411j of 1931 PA 328 (MCL 750.411j).

I.E. House, February 7, 2002.

For House amendment, see House Journal No. 9, page 124.

Reported by Committee on Judiciary.

Committee recommended I.E.

\_\_\_\_ 22 \_\_\_\_\_

### **HB 5511** Rep. Toy

Crimes; definitions; definition of vulnerable target in explosives chapter of penal code; expand to include stadiums, critical transportation infrastructures, and public services providers.

Amends sec. 212a of 1931 PA 328 (MCL 750.212a).

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 19, page 497.

Committee recommended I.E.

### THIRD READING OF BILLS

— 23 ——

### **HB** 5512 Rep. Jacobs

Criminal procedure; other; compensation to victims and payment of expenses for government response for terrorism-related offenses; provide for.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 543h.

I.E. House, February 7, 2002.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 24 \_\_\_\_\_\_

### HB 5513 Rep. LaSata

Criminal procedure; forfeiture; seizure and forfeiture of property used in connection with a terrorism-related offense; provide for.

Amends secs. 4701 & 4702 of 1961 PA 236 (MCL 600.4701 & 600.4702).

I.E. House, February 7, 2002.

For House amendment, see House Journal No. 9, page

Reported by Committee on Judiciary.

Committee recommended I.E.

### — 25 —— **748** Sen. Hammerstrom SB

Insurance; health; medicare supplement policy; provide

Amends secs. 3801, 3807, 3809, 3811, 3815, 3819 & 3829 of 1956 PA 218 (MCL 500.3801 et seg.) & adds secs. 3830 & 3830a.

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_\_ 26 \_\_\_\_\_</del>

### SB 749 Sen. Bullard

Insurance; health care corporations; medicare supplement certificate; provide changes.

Amends secs. 451, 455, 459, 461, 465, 469 & 479 of 1980 PA 350 (MCL 550.1451 et seq.) & adds secs. 480 &

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

#### HB **4507** Rep. DeVuyst

Sales tax; exemptions; exemption from paying sales tax on certain items; clarify procedure.

Amends sec. 5 of 1937 PA 94 (MCL 205.95).

I.E. House, June 6, 2001.

House substitute (H-1).

Reported by Committee on Finance.

Senate substitute (S-4).

For Senate amendment, see Senate Journal No. 19, page 497.

Committee recommended I.E.

### **GENERAL ORDERS**

— 28 ——

### HB 4698 Rep. Allen

Economic development; brownfield redevelopment authority; work plan approval; establish criteria.

Amends sec. 15 of 1996 PA 381 (MCL 125.2665).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

— 29 ——

### SB 750 Sen. Gast

State; funds; budget stabilization fund withdrawal; allow. Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 76 of 2001, page 1910.

Committee recommended I.E.

#### SB 438 Sen. Steil

Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.

Amends secs. 4, 5, 6, 11a, 503, 613, 616, 617, 661, 681, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722 & 1732 of 1976 PA 451 (MCL 380.4 et seq.); adds secs. 629a, 1206 & 1351c & repeals sec. 662 & pts. 12 - 14 of 1976 PA 451 (MCL 380.662 & 380.1001 - 380.1106).

Reported by Committee on Government Operations. Senate substitute (S-1).

31 —

#### 439 Sen. Hammerstrom SB

Elections; other; number of election days per year; limit and provide other general amendments.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding

Reported by Committee on Government Operations. Senate substitute (S-1).

- 32 ----

#### SB 440 Sen. Steil

Elections; school; chapter in election law regulating school elections; create and provide other general amend-

Amends secs. 3, 321, 322, 358a, 370, 381, 382, 538, 635, 644b, 644c, 644e, 644g, 646a, 963 & 971 of 1954 PA 116 (MCL 168.3 et seq.); adds secs. 17 & 643b & ch. XIV & repeals secs. 4, 5, 325, 348, 639, 640, 644j - 646 & 646b of 1954 PA 116 (MCL 168.4 et seg.).

Reported by Committee on Government Operations. Senate substitute (S-2).

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#### SB 441 Sen. McManus

Elections; local; election consolidation; provide for home rule cities elections.

Amends secs. 3, 8, 11, 21, 25 & 26 of 1909 PA 279 (MCL 117.3 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

### **GENERAL ORDERS**

\_\_\_\_ 34 \_\_\_\_\_

### SB 442 Sen. McManus

Elections; local; election consolidation; provide for home rule village elections.

Amends secs. 4, 7, 21 & 23 of 1909 PA 278 (MCL 78.4 et seg.).

Reported by Committee on Government Operations. Senate substitute (S-1).

\_\_\_\_\_ 35 \_\_\_\_\_

### SB 443 Sen. McManus

Elections; local; election consolidation; provide for general law village elections.

Amends secs. 1, 5 & 13, ch. II, secs. 1, 2, 3 & 7, ch. III, sec. 23, ch. IX, sec. 3, ch. XII & sec. 18a, ch. XIV of 1895 PA 3 (MCL 62.1 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

36 —

### SB 444 Sen. Bennett

Higher education; community colleges; scheduling, conducting, and canvassing of community college elections; revise procedures.

Amends secs. 2, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144 & 152 of 1966 PA 331 (MCL 389.2 et seq.) & repeals secs. 20, 40 & 60 of 1966 PA 331 (MCL 389.20 et seq.).

Reported by Committee on Government Operations.

\_\_\_\_ 37 \_\_\_\_\_

## SB 760 Sen. Bennett

Elections; school; consolidation of school elections and general elections; provide for in election law.

Amends secs. 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954 & 972 of 1954 PA 116 (MCL 168.30a et seq.) & repeals sec. 758c of 1954 PA 116 (MCL 168.758c).

Reported by Committee on Government Operations.

\_\_\_\_ 38 \_\_\_\_\_

### SB 644 Sen. Steil

Employment security; benefits; coverage for federally recognized Indian tribes; expand act to include.

Amends secs. 41 & 42 of 1936 (Ex Sess) PA 1 (MCL 421.41 & 421.42) & adds sec. 13*l*.

Reported by Committee on Human Resources and Labor.

Senate substitute (S-4).

Committee recommended I.E.

<del>\_\_\_\_ 39 \_\_\_\_\_</del>

### SB 883 Sen. Sanborn

Insurance; other; creditor-placed insurance; provide for. Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding ch. 16.

Reported by Committee on Financial Services. Committee recommended I.E.

### **GENERAL ORDERS**

— 40 ———

### **HB 5216** Rep. Patterson

Elections; voting equipment; uniform statewide voting system; provide for.

Amends secs. 577, 578, 580, 626, 661, 691, 738, 770, 770a, 771, 772, 773, 776, 781, 786, 789, 790, 791, 792, 793, 795, 795a, 796a, 797, 797a, 798b, 798c & 799a of 1954 PA 116 (MCL 168.577 et seq.); adds sec. 17 & repeals secs. 584, 585, 586, 587, 717a, 739, 769a, 775, 779, 782a, 782b, 783, 784, 787, 788, 792a, 794, 794a, 794b, 794c & 799 of 1954 PA 116 (MCL 168.584 et seq.).

I.E. House, December 6, 2001.

House substitute (H-3).

Reported by Committee on Government Operations. Senate substitute (S-4).

Committee recommended I.E.

### **HB** 5335 Rep. Richner

Elections; ballots; notification to all candidates regarding ballot designation for candidates with similar name; require.

Amends secs. 561 & 696 of 1954 PA 116 (MCL 168.561 & 168.696).

I.E. House, December 6, 2001.

House substitute (H-2).

Reported by Committee on Government Operations.

Committee recommended I.E.

42 —

# SB 1094 Sen. Schwarz

Transportation; carriers; front loading device or boom; prohibit movement on highway under certain conditions.

Amends sec. 720 of 1949 PA 300 (MCL 257.720).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

\_\_\_\_ 43 \_\_\_\_\_

# HB 4037 Rep. Faunce

Traffic control; driver license; penalties for an individual who reproduces, alters, counterfeits, forges, or duplicates a license photograph; increase.

Amends sec. 310 of 1949 PA 300 (MCL 257.310).

I.E. House, December 11, 2001.

House substitute (H-2).

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

44

### HB 5041 Rep. Kooiman

Traffic control; driver license; sentencing guidelines for crime of forging driver license; enact.

Amends sec. 12, ch. XVII of 1927 PA 175 (MCL 777.12).

I.E. House, December 11, 2001.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

### **GENERAL ORDERS**

<del>\_\_\_\_ 45 \_\_\_\_</del>

### **SB** 717 Sen. Koivisto

Construction; code; premanufactured unit rules; revise to allow for state approved third party reviews.

Amends sec. 19 of 1972 PA 230 (MCL 125.1519).

Reported by Committee on Human Resources and Labor.

Committee recommended I.E.

**—** 46 **—** 

### SB 686 Sen. McCotter

Health facilities; other; definition of "health facility or agency"; expand.

Amends sec. 1 of 1967 PA 270 (MCL 331.531).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

### SB 965 Sen. Emmons

Local government; bonds; revenue bonding act bonding authority; modify.

Amends secs. 3, 12, 16, 22, 24, 26, 27, 28 & 30 of 1933 PA 94 (MCL 141.103 et seq.).

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

### HB 5211 Rep. Vear

Property tax; personal property; electronic filing of personal property statement; allow.

Amends sec. 19 of 1893 PA 206 (MCL 211.19).

I.E. House, October 30, 2001.

Reported by Committee on Finance.

Senate substitute (S-2).

Committee recommended I.E.

— 49 ———

### **HB** 4860 Rep. Mortimer

Natural resources; hunting; certain provisions relating to wild turkey hunting license; revise.

Amends sec. 43524 of 1994 PA 451 (MCL 324.43524).

I.E. House, November 29, 2001.

Reported by Committee on Hunting, Fishing and Forestry.

Committee recommended I.E.

50

### **HB** 4937 Rep. Tabor

Natural resources; fishing; minimum age for voluntary all-species fishing license; reduce.

Amends sec. 43532 of 1994 PA 451 (MCL 324.43532).

I.E. House, October 31, 2001.

For House amendments, see House Journal No. 69, page 2054.

Reported by Committee on Hunting, Fishing and Forestry

For Senate amendment, see Senate Journal No. 19, page 503.

Committee recommended I.E.

### **GENERAL ORDERS**

— 51 ——

### SB 380 Sen. Bullard

Torts; liability; limitations on liability of certain private facilities under certain circumstances; enact.

Amends 1961 PA 236 (MCL 600.101 - 600.9948) by adding secs. 2972 & 2973.

Reported by Committee on Judiciary.

Senate substitute (S-3).

Committee recommended I.E.

<del>\_\_\_\_ 52 \_\_\_\_</del>

### HB 4874 Rep. Stamas

Civil rights; privacy; disclosure of certain information regarding students of public schools, public universities, public school academies, and other educational institutions; exempt from freedom of information act.

Amends sec. 13 of 1976 PA 442 (MCL 15.243).

I.E. House, July 11, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

# **HB** 5125 Rep. Bishop

Crimes; larceny; manufacture, distribution, or possession of a theft detection shielding device or of a tool designed to deactivate or remove a theft detection device; prohibit and provide penalties.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 360a.

I.E. House, January 29, 2002.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

**—** 54 **—** 

### **HB** 5126 Rep. Bishop

Criminal procedure; sentencing guidelines; sentencing guidelines for the manufacture, distribution, or possession of a theft detection shielding device or of a tool designed to deactivate or remove a theft detection device; enact.

Amends sec. 16r, ch. XVII of 1927 PA 175 (MCL 777.16r).

I.E. House, January 29, 2002.

House substitute (H-2).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 55 ——

# HB 5585 Rep. Richner

Civil procedure; civil actions; judgment of interest applicable to a written instrument evidencing indebtedness that bears an interest rate; revise to make application of recent change prospective and provide mechanism for fixing rate when instrument bears a variable interest rate.

Amends sec. 6013 of 1961 PA 236 (MCL 600.6013).

House substitute (H-1).

Reported by Committee on Judiciary.

Committee recommended I.E.

### RESOLUTIONS

### 56 -

### SCR 11 Sen. Stille

A concurrent resolution to establish a special joint committee to evaluate the Michigan State Fairgrounds and the pending sale of adjacent property.

Returned from House with substitute (H-1), Wednesday, May 9, 2001; laid over under the rules.

For text of resolution, see Senate Journal No. 27 of 2001, page 296.

### SCHEDULED MEETINGS

**Appropriations -** Wednesday, March 6, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

### Subcommittees -

**Career Development Strategic Fund Agency -** Wednesday, March 6, 3:00 p.m., Room 210, Farnum Building (373-2523)

**Community Health -** Monday, March 11, 3:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)

### SCHEDULED MEETINGS

**Higher Education -** Friday, March 8, 9:30 a.m., University of Michigan-Ann Arbor, 909 S. University Drive, William L. Clements Library, Ann Arbor (373-3447)

**Natural Resources -** Wednesday, March 6, 3:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725) (CANCELED)

**Banking and Financial Institutions -** Thursday, March 7, 8:30 a.m., Room 210, Farnum Building (373-2420)

**Judiciary -** Wednesday, March 6, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Legislative Retirement Board of Trustees -** Wednesday, March 6, 12:00 noon, Room H-252, Capitol Building (373-0575)

**Senior Citizens and Veterans Affairs -** Thursday, March 7, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-2417)

**Transportation and Tourism -** Wednesday, March 6, 9:15 a.m., Room 110, Farnum Building (373-1758)

# BILLS IN CONFERENCE

Bill No.	Brief Title	Conferees		Report Agreed To	
		Senate	House	Senate	House
SJR D	State; employees and officers; adoption of	McCotter	Patterson		
	SOCC recommendation for next legislative	Sikkema	Bisbee		
	session; require legislature approval.	Leland	Jacobs		
HB 4042	Consumer protection; home solicitation sales;	Emmons	Bradstreet		
	do not call register; create.	Steil	Faunce		
		Cherry	Rivet		
HB 4632	Consumer protection; home solicitation sales;	Emmons	Bradstreet		
	violation of home solicitation sales statute;	Steil	Faunce		
	prohibit as unfair practice.	Cherry	Rivet		